

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JONATHAN N. WATERS,

Case No: 2:14-cv-1704

Plaintiff,

Judge Graham

v.

Magistrate Judge Kemp

MICHAEL V. DRAKE, M.D., *et al.*,

Defendants.

ORDER

The court has set a hearing on plaintiff's motion to withdraw as counsel for Tuesday, January 19, 2016 at 10:00 a.m. in Courtroom #4. At the hearing, the court plans also to address two discovery issues that were to have been the subject of the conference originally set for December 9, 2015. Those issues – namely, (1) plaintiff's request to depose Lenee Buchman and the related legal issue of whether the existence of a common supervisor or ultimate decisionmaker is a determinative factor in proving the existence of a similarly-situated employee, and (2) plaintiff's request to depose Kelly Johnson and subpoena communications between Ohio State University and the Department of Education Office of Civil Rights – are fully briefed and the court intends to conclude its determination of the issues on the basis of the current record.

The court further notes that plaintiff has filed objections to the magistrate judge's December 8, 2015 discovery order. The court plans to address the objections as well at the January 19 hearing.

s/ James L. Graham  
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JAMES L. GRAHAM  
United States District Judge

DATE: January 12, 2016